AF/2612

PTO/SB/21 (09-04)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

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Total Number of Pages in This Submission	33

Application Number	09/780,839
Filing Date	February 8, 2001
First Named Inventor	Fisher
Art Unit	2612
Examiner Name	Jerabek, K.
Attorney Docket Number	50N3700.01/1583

ENCLOSURES *(Check all that apply)*

- [x] Fee Transmittal Form
- [x] Fee Attached
- [ ] Amendment/Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
  - [ ] Landscape Table on CD
- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
- [x] Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- [ ] Proprietary Information
- [ ] Status Letter
- [x] Other Enclosure(s) (please Identify below):

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Redwood Patent Law		
Signature			
Printed name	Gregory J. Koerner		
Date	5/23/06	Reg. No.	38,519

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Signature			
Typed or printed name	Gregory J. Koerner	Date	6/1/06

PTO/SB/17 (12-04v2)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	($)	500.00

Complete if Known	
Application Number	09/780,839
Filing Date	February 8, 2001
First Named Inventor	Fisher
Examiner Name	Jerabek, K.
Art Unit	2612
Attorney Docket No.	50N3700.01/1583

METHOD OF PAYMENT (check all that apply)

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 20 or HP =	_____	x _____	= _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 3 or HP =	_____	x _____	= _____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee ($)	Fee Paid ($)
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 =	_____ / 50 =	_____ (round up to a whole number)	x _____	= _____

4. OTHER FEE(S)

	Fees Paid ($)
Non-English Specification, $130 fee (no small entity discount)	
Other (e.g., late filing surcharge): Appeal Brief Filing Fee	$500.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 38,519	Telephone 650-358-4000
Name (Print/Type)	Gregory J. Koerner		Date 5/23/06

IN THE

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Fisher et al.
APP. NO.:	09/780,839
FILED:	February 8, 2001
TITLE:	System And Method For Efficiently Implementing An Electronic Image Hub Device
EXAMINER:	Jerabek, K.
ART UNIT:	2612
ATTY DKT NO:	50N3700.01/1583

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date printed below:

Dated: 6/1/06

Gregory J. Koerner

APPEAL BRIEF

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The following Appeal Brief is submitted in an appeal from the Final Office Action of January 26, 2006 in the above-referenced Patent Application.

(1) Real parties in interest

The real parties in interest in the above-referenced patent application are Sony Corporation, a Japanese corporation with offices in Tokyo, Japan, and Sony Electronics Inc., a Delaware corporation with offices in New Jersey.

(2) Related appeals and interferences

To the present knowledge of Appellants' legal representative, there are currently no related appeals or interference proceedings in progress which will directly affect, or be directly affected by, or have a bearing on the Board's decision in the present Appeal.

(3) Status of Claims

Claims 1-2, 4, 10-13, 15-22, 24, 30-33, 35-42 stand rejected under 35 U.S.C. § 102(b). Claims 3, 5-9, 23, 25-29, and 34 stand rejected under 35 U.S.C. § 103(a). The rejections of claims 1-2, 4, 10-13, 15-22, 24, 30-33, 35-40, and 42, and the rejections of claims 3, 5-9, 23, 25-29, and 34 are being appealed.

(4) Status of Amendments

On January 26, 2006, a Final Office Action in the present Application was mailed to Applicants' Representative. In response, on April 6, 2006, the Applicants filed a Notice of Appeal in the present Application.

(5) Summary of Claimed Subject Matter

In accordance with one embodiment of the present invention, a system user may preferably connect a camera device 610 (or other peripheral device) to an image hub 110 using any effective and appropriate means. The camera device 610 may be implemented in any effective manner, however, in many embodiments, a basic and cost-effective camera device may be economically utilized.

Next, a download manager 312 in the image hub 110 may preferably detect a request to download content information 216 from the docked camera device 610. When the download manager 312 detects a download request, then the download manager 312 may preferably transfer the particular content information 216 (including captured image data) from the camera device 610 to the image hub 110.

The image hub 110 may then preferably determine one or more appropriate image management functions to perform with regard to the downloaded content information 216. For example, the image hub 110 may perform various data manipulation and/or analysis functions on the downloaded content information

216. In many embodiments, the image hub 110 may preferably route or upload the content information 216 to an appropriate or designated data destination by utilizing an upload manager 316. In accordance with the present invention, the upload manager 316 may route the content information 216 using any effective technique.

In one embodiment, the image hub 110 may preferably recognize and route the content information 216 from a given camera device 610 based upon a camera identification parameter that may be programmed into that camera 610 and detected by the image hub 110. Alternately, a given camera device 610 may mark image data with an image identifier tag that may recognized and utilized by either the image hub 110 or the data destination to subsequently provide that image data to the correct system user. In addition, the image hub 110 may route content information 216 to one or more data destinations based upon a hub identifier value, or by referencing destination information entered into the image hub 110 by the system user or system operator.

In accordance with the present invention, in certain embodiments, a recharge manager 218 may detect that a non-removable battery 652 from the camera device 610 is currently in a depleted condition, and responsively utilize a recharger module 124 from the image hub 110 to recharge the depleted battery 652. In other embodiments, the recharger module 124 may automatically recharge the battery 652 whenever the camera device 610 is connected to the image hub 110.

If valid conditions exist for a successful completion of the foregoing image management functions, then application software 212 from the image hub 110 may preferably execute the selected image management functions (such as routing the content information 216 to a data destination). Finally, a system user may then advantageously access, manipulate, and utilize the content information 216 from the data destination, in accordance with the present invention.

Independent claim 1 recites "a peripheral device configured to capture said content information." The foregoing subject matter is discussed in the Specification, for example, at page 14, line 19, through page 16, line 18 (FIG. 6). Claim 1 also recites "an image hub configured to transfer said content information from said peripheral device to a data destination from which a system user selectively accesses said content information, said peripheral device having a transfer capability to transfer said content information only to said image hub." The foregoing subject matter is discussed in the Specification, for example, at page 6, line 24, to page 8, line 27 (FIG. 1), and page 14, line 19, through page 16, line 18 (FIG. 6).

Independent claim 21 recites "capturing said content information with a peripheral device." The foregoing subject matter is discussed in the Specification, for example, at page 14, line 19, through page 16, line 18 (FIG. 6). Claim 21 also recites "utilizing an image hub to transfer said content information from said peripheral device to a data destination, said peripheral device having a transfer capability to transfer said content information only to

said image hub; and accessing said content information from said data destination by a system user." The foregoing subject matter is discussed in the Specification, for example, at page 6, line 24, to page 8, line 27 (FIG. 1), and page 14, line 19, through page 16, line 18 (FIG. 6).

Independent claim 42 includes three elements that are recited utilizing "means plus function" language. Independent claim 42 recites "means for capturing said content information." The foregoing subject matter is discussed in the Specification, for example, at page 14, line 19, through page 16, line 18 (FIG. 6). Claim 42 also recites "means for transferring said content information from said means for capturing to a data destination," and "means for accessing said content information from said data destination by a system user." The foregoing subject matter is discussed in the Specification, for example, at page 6, line 24, to page 8, line 27 (FIG. 1), and page 14, line 19, through page 16, line 18 (FIG. 6).

(6) Grounds Of Rejection To Be Reviewed Upon Appeal

I. Claims 1-2, 4, 10-13, 15-22, 24, 30-33, 35-40, and 42 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,949,551 to Miller et al.

II. Claims 3 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No 5,949,551 to Miller et al. in view of U.S. Patent No. 6,522,352 to Strandwitz et al.

III. Claims 5-9, 14, 25-29, and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No 5,949,551 to Miller et al. in view of U.S. Patent No. 6,580,460 to Takahashi et al.

(7) Argument

I. 35 U.S.C. § 102(b)

On page 8 of the Final Office Action, the Examiner rejects claims 1-2, 4, 10-13, 15-22, 24, 30-33, and 35-40, and 42 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,949,551 to Miller et al. (hereafter Miller). The Applicants respectfully traverse the rejections of claims 1-2, 4, 10-13, 15-22, 24, 30-33, and 35-40, and 42 for at least the following reasons.

It is established that, "for a prior art reference to anticipate in terms of 35 U.S.C. §102, every element of the claimed invention must be *identically* shown in a single reference" (emphasis added). *Diversitech Corp. v. Century Steps, Inc.*, 7 USPQ2d 1315, 1317 (CAFC 1988). The Applicants submit that Miller fails to identically teach every element of the claims and therefore does not anticipate the present invention.

(A). Claims 1-2, 4, 11-13, 20, 21-22, 24, 31-33, 40

Regarding the Examiner's rejection of independent claims 1 and 21, Applicants submit that claims 1 and 21 recite limitations that are not taught or suggested either by the cited reference, or by the Examiner's citations thereto.

For example, claims 1 and 21 both explicitly recite *"said peripheral device having a transfer capability to transfer said content information only to said image hub."*

Miller teaches transmitting multiple resolutions of image data from a scanner system to a hub station (see column 2, line 57 to column 3, line 16). Miller states that "scanner system 6 may be a digital computer . . . in the form of a workstation or desktop computer . . . ." (column 6, lines 31-34). However, Miller fails, throughout the entire reference, to explicitly disclose that the scanner system has a transfer capability to transfer image data only to the hub station, as specifically claimed by Applicants.

On the contrary, it is well-known that digital computers have transfer capabilities to transfer data to may different types of data destinations. Applicants therefore submit that Miller teaches away from Applicants claimed invention. A prior art reference which teaches away from the presently claimed invention is "strong evidence of nonobviousness." In re Hedges, 783 F.2d 1038, 228 U.S.P.Q. 2d 685 (Fed.Cir. 1987).

Furthermore, Applicants submit that Miller teaches transferring only "digital images" to the image station, while Applicants' specifically claim transferring "content information". In conjunction with FIG. 4, Applicants define content information to include a series of descriptors that each "corresponds with a specific captured image . . . ." (page 11, line 25). Applicants transfer the foregoing descriptors as a defined part of the content

information. Applicants therefore submit that the transferred image data disclosed by Miller fails to anticipate the "content information" (including descriptors) claimed by Applicants.

In contrast, the scanner system of Miller sends an "identification signal" directly to a printer device (not to the hub station) "to print out a hardcopy series of characters . . . corresponding to each identification signal." The identification signal is then "forwarded to a remote terminal . . . by a route which is independent of hub station 20 . . . (see FIG. 1, column 11, lines 53-60). For at least the foregoing reasons, Applicants submit that Miller fails to teach "*said peripheral device having a transfer capability to transfer said content information only to said image hub.*" Applicants therefore submit that claims 1 and 21 are not anticipated by the teachings of Miller.

Regarding the Examiner's rejection of dependent claims 2, 4, 11-13, 20, 21-22, 24, 31-33, 40, for at least the reasons that these claims are directly or indirectly dependent from respective independent claims whose limitations are not identically taught or suggested, the limitations of these dependent claims, when viewed through or in combination with the limitations of the respective independent claims, are also not identically taught or suggested. Applicants therefore respectfully request reconsideration and allowance of dependent claims 2, 4, 11-13, 20, 21-22, 24, 31-33, 40.

(B). Claims 10 and 20

With regard to the rejections of claims 10 and 20, as discussed above in conjunction with claims 1 and 21, Applicants submit that Miller nowhere discloses transferred "content information" that includes both image data and "*a corresponding descriptor that identifies said image data as being captured by said peripheral device.*" For at least the foregoing reasons, Applicants request reconsideration of the rejections of claims 10 and 20.

(C). Claims 15-16 and 35-36

With regard to the rejections of claims 15-16 and 35-36, Applicants submit that Miller fails to teach an application program of an image hub that analyzes transferred content information and automatically "*determines one or more appropriate image management functions*" that include "*a data routing function*" that is automatically performed by an upload manager of the image hub for transferring the received content information to an appropriate data destination. For at least the foregoing reasons, Applicants therefore submit that Miller fails to anticipate claims 15-16 and 35-36. Applicants therefore respectfully request reconsideration of the rejections of claims 15-16 and 35-36.

(D). Claims 17 and 37

With regard to the rejections of claims 17 and 37, Applicants submit that Miller fails to teach an image hub that analyzes transferred content information and automatically performs a "data routing function" based upon a selection of four different possible types of information, including an "image identifier tag" and "destination information" corresponding to an intended final data destination. For at least the foregoing reasons, Applicants therefore submit that Miller fails to anticipate claims 17 and 37. Applicants therefore respectfully request reconsideration of the rejections of claims 17 and 37.

(E). Claims 18 and 38

With regard to the rejections of claims 18 and 38, Applicants submit that Miller fails to teach an image hub that analyzes transferred content information and automatically performs a "data editing function in which an editing module in said image hub modifies said content information . . . ." For example, the claimed editing module may be utilized "to insert various templates or overlays into individual images stored as content information 216" (see Specification, page 10, lines29-31). For at least the foregoing reasons, Applicants therefore submit that Miller fails to anticipate claims 18 and 38. Applicants therefore respectfully request reconsideration of the rejections of claims 18 and 38.

(F). Claims 19 and 39

Regarding the rejections of claims 19 and 39, Applicants submit that Miller fails to teach an image hub that automatically "determines whether valid conditions currently exist for performing said one or more appropriate image management functions, said image hub presenting an error message to said system user if valid conditions do not currently exist . . . ." For at least the foregoing reasons, Applicants therefore submit that Miller fails to anticipate claims 19 and 39. Applicants therefore respectfully request reconsideration of the rejections of claims 19 and 39.

(I). Independent Claim 42

With regard to claim 42, "means-plus-function" language is utilized to recite elements and functionality similar to those recited in claims 1 and 21, as discussed elsewhere. Applicants therefore incorporate those remarks by reference with regard to claim 42. In addition, the Courts have frequently held that "means-plus-function" language, such as that of claim 42, should be construed in light of the Specification. More specifically, means-plus-function claim elements should be *construed to cover the corresponding structure, material or acts described in the specification*, and equivalents thereof.

In particular, independent claim 42 includes three elements that are recited utilizing "means plus function" language. Independent claim 42 recites "means for capturing said content information." The foregoing subject matter

is discussed in the Specification, for example, at page 14, line 19, through page 16, line 18 (FIG. 6). Claim 42 also recites "means for transferring said content information from said means for capturing to a data destination," and "means for accessing said content information from said data destination by a system user." The foregoing subject matter is discussed in the Specification, for example, at page 6, line 24, to page 8, line 27 (FIG. 1), and page 14, line 19, through page 16, line 18 (FIG. 6). Applicants respectfully submit that, in light of the substantial differences between the teachings of Miller and Applicants' invention as disclosed in the Specification, claim 42 is therefore not anticipated or made obvious by the teachings of Miller.

For at least the foregoing reasons, Applicants submit that claims 1-2, 4, 10-13, 15-22, 24, 30-33, and 35-40, and 42 are not anticipated by the teachings of Miller. Because a rejection under 35 U.S.C. §102 requires that every claimed limitation be *identically* taught by a cited reference, and because the Examiner fails to cite Miller to identically teach the claimed invention, Applicants respectfully request reconsideration and allowance of claims 1-2, 4, 10-13, 15-22, 24, 30-33, and 35-40, and 42.

II. 35 U.S.C. § 103

On page 13 of the Final Office Action, the Examiner rejects claims 3 and 23 under 35 U.S.C. § 103 as being unpatentable over Miller in view of U.S. Patent No. 6,522,352 to Strandwitz et al. (hereafter Strandwitz).

The Applicants respectfully traverse these rejections for at least the following reasons.

Regarding the Examiner's rejection of dependent claims 3 and 23, for at least the reasons that these claims are indirectly dependent from respective independent claims whose limitations are not identically taught or suggested, the limitations of these dependent claims, when viewed through or in combination with the limitations of the respective independent claims, are also not identically taught or suggested. Applicants therefore respectfully request reconsideration and allowance of dependent claims 3 and 23 so that these claims may issue in a timely manner.

Furthermore, the Court of Appeals for the Federal Circuit has held that "obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination." In re Geiger, 815 F.2d 686, 688, 2 U.S.P.Q.2d 1276, 1278 (Fed. Cir. 1987). Applicants submit that the cited references do not explicitly suggest a combination that would result in Applicants' invention, and therefore the obviousness rejection under 35 U.S.C §103 is improper.

For at least the foregoing reasons, the Applicants submit that claims 3 and 23 are not unpatentable under 35 U.S.C. § 103 over Miller in view of Strandwitz, and that the rejections under 35 U.S.C. § 103 are thus improper. The Applicants therefore respectfully request reconsideration and withdrawal of

the rejections of claims 3 and 23 under 35 U.S.C. § 103.

III. 35 U.S.C. § 103

On page 14 of the Final Office Action, the Examiner rejects claims 5-9, 14, 25-29, and 34 under 35 U.S.C. § 103 as being unpatentable over Miller in view of U.S. Patent No. 6,580,460 to Takahashi et al. (hereafter Takahashi). The Applicants respectfully traverse these rejections for at least the following reasons.

Applicants maintain that the Examiner has failed to make a *prima facie* case of obviousness under 35 U.S.C. § 103(a) which requires that three basic criteria be met, as set forth in M.P.E.P. §2142:

> "First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations."

The initial burden is therefore on the Examiner to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a).

Applicants respectfully traverse the Examiner's assertion that modification of the device of Miller according to the teachings of Takahashi would produce the claimed invention. Applicants submit that Miller in

combination with Takahashi fail to teach a substantial number of the claimed elements of the present invention. Furthermore, Applicants also submit that neither Miller nor Takahashi contain teachings for combining the cited references to produce the Applicants' claimed invention. The Applicants therefore respectfully submit that the obviousness rejections under 35 U.S.C §103 are improper.

(A). Claims 14 and 34

Regarding the Examiner's rejection of dependent claims 14 and 34, for at least the reasons that these claims are indirectly dependent from respective independent claims whose limitations are not identically taught or suggested, the limitations of these dependent claims, when viewed through or in combination with the limitations of the respective independent claims, are also not identically taught or suggested. Applicants therefore respectfully request reconsideration and allowance of dependent claims 14 and 34, so that these claims may issue in a timely manner.

(B). Claims 5 and 25

Regarding the rejections of claims 5 and 25, the Examiner concedes that Miller "fails to state that the image hub provides a power source for recharging a power supply in the peripheral device." Applicants concur. The Examiner then points to Takahashi to purported remedy these defects.

Takahashi teaches an imaging device that has the capacity to be temporarily powered by a printer device to save battery power (see Abstract).

However, Takahashi nowhere explicitly teaches "said image hub providing a sole power source for recharging a power supply in said peripheral device", as recited by Applicants in claims 5 and 25. Furthermore, Applicants submit that Takahashi also fails to disclose "said image hub also providing a sole transfer means for downloading said content information from said peripheral device", as recited by Applicants in claims 5 and 25.

In addition, Applicants submit that neither Miller nor Takahashi teach that "said peripheral device is implemented as a low-cost digital camera with minimal local memory and limited processing capabilities," as claimed by Applicants. On the contrary, as discussed above, Miller explicitly states that "scanner system 6 may be a digital computer . . . in the form of a workstation or desktop computer . . . ." (column 6, lines 31-34).

Also with regard to the rejections of claims 5 and 25, the Examiner states that "[t]herefore, it would have been obvious to one skilled in the art . . . . [d]oing so would provide a means for preventing battery consumption . . . ." Applicants respectfully submit that a *general restatement of the advantages disclosed by the Applicants* deriving from implementation of the present invention may not act as the required teaching or suggestion to combine cited references for a proper rejection under 35 U.S.C. § 103.

Courts have repeatedly held that "it is impermissible . . . simply to

engage in *hindsight reconstruction* of the claimed invention, using the Applicants' structure as a template and selecting elements from references to fill in the gaps." In re Gorman, 18 USPQ 1885, 1888 (CAFC 1991). For at least the foregoing reasons, Applicants therefore submit that claims 5 and 25 are not unpatentable in light of Miller and Takahashi. Applicants therefore respectfully request reconsideration of the rejections of claims 5 and 25.

(C). Claims 6 and 26

In the rejections of claims 6 and 26, the Examiner utilizes Official Notice as a basis for rejecting certain claimed limitations, instead of providing specific references to cover all of the limitations recited in claims 6 and 26. Applicants submit that the particular combination of claimed limitations would not be obvious to one skilled in the art at the time of the invention. Applicants therefore respectfully request the Examiner to cite specific references in support of these rejections, and failing to do so, to reconsider and withdraw the rejections of claims 6 and 26, so that these claims may issue in a timely manner.

Applicants also submit that the cited references, in combination with the Official Notice, do not suggest a combination that would result in Applicants' invention, and therefore the obviousness rejections under 35 U.S.C §103 are improper. Applicants therefore respectfully request the Examiner to cite references in support of the Official Notice, and to also indicate where an

explicit teaching to combine the cited reference may be found. Alternately, the Applicants request that the Examiner reconsider and withdraw the rejections of claims 6 and 26 under 35 U.S.C §103.

(D). Claims 7 and 27

In the rejections of claims 7 and 27, the Examiner utilizes Official Notice as a basis for rejecting certain claimed limitations, instead of providing specific references to cover all of the limitations recited in claims 7 and 27. Applicants submit that the particular combination of claimed limitations would not be obvious to one skilled in the art at the time of the invention. Applicants therefore respectfully request the Examiner to cite specific references in support of these rejections, and failing to do so, to reconsider and withdraw the rejections of claims 7 and 27, so that these claims may issue in a timely

Applicants also submit that the cited references, in combination with the Official Notice, do not suggest a combination that would result in Applicants' invention, and therefore the obviousness rejections under 35 U.S.C §103 are improper. Applicants therefore respectfully request the Examiner to cite references in support of the Official Notice, and to also indicate where an explicit teaching to combine the cited reference may be found. Alternately, the Applicants request that the Examiner reconsider and withdraw the rejections of claims 6 and 26 under 35 U.S.C §103.

(E). Claims 8 and 28

Regarding the rejections of claims 8 and 28, Applicants submit that both Miller and Takahashi fail to teach an image hub with application software that includes "an editing module" as disclosed and claimed by Applicants. For at least the foregoing reasons, Applicants therefore submit that claims 8 and 28 are not unpatentable in light of the cited references. Applicants therefore respectfully request reconsideration of the rejections of claims 8 and 28.

(F). Claims 9 and 29

In the rejections of claims 9 and 27, the Examiner utilizes Official Notice as a basis for rejecting certain claimed limitations, instead of providing specific references to cover all of the limitations recited in claims 9 and 27. Applicants submit that the particular combination of claimed limitations would not be obvious to one skilled in the art at the time of the invention. Applicants therefore respectfully request the Examiner to cite specific references in support of these rejections, and failing to do so, to reconsider and withdraw the rejections of claims 9 and 27, so that these claims may issue in a timely manner.

Applicants also submit that the cited references, in combination with the Official Notice, do not suggest a combination that would result in Applicants' invention, and therefore the obviousness rejections under 35 U.S.C §103 are improper. Applicants therefore respectfully request the Examiner to cite

references in support of the Official Notice, and to also indicate where an explicit teaching to combine the cited reference may be found. Alternately, the Applicants request that the Examiner reconsider and withdraw the rejections of claims 6 and 26 under 35 U.S.C §103.

For at least the foregoing reasons, the Applicants submit that claims 5-9, 14, 25-29, and 34 are not unpatentable under 35 U.S.C. § 103 over Miller in view of Takahashi, and that the rejections under 35 U.S.C. § 103 are thus improper. The Applicants therefore respectfully request reconsideration and withdrawal of the rejections of claims 5-9, 14, 25-29, and 34 under 35 U.S.C. § 103.

SUMMARY

For all the foregoing reasons, it is earnestly and respectfully requested that the Board of Patent Appeals and Interferences reverse the rejections of claims 1-40 and 42, so that the present Application may be allowed and pass to issue in a timely manner.

Respectfully Submitted,

Fisher et al.

Date: 5/23/06 By: _____

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(8) Claims Appendix

1. A system for managing content information, comprising:
a peripheral device configured to capture said content information; and
an image hub configured to transfer said content information from said peripheral device to a data destination from which a system user selectively accesses said content information, said peripheral device having a transfer capability to transfer said content information only to said image hub.

2. The system of claim 1 wherein said peripheral device includes one of a digital camera, an imaging device, a computer device, an audio device, and a portable electronic device.

3. The system of claim 1 wherein said content information includes image data, audio data, text data, and graphics data.

4. The system of claim 1 wherein said data destination includes a user-accessible service coupled to one of a distributed computer network, an Internet network, and a wireless communications network.

5. The system of claim 1 wherein said peripheral device is implemented as a low-cost digital camera with minimal local memory and limited processing capabilities, said image hub providing a sole power source for recharging a power supply in said peripheral device, said image hub also providing a sole transfer means for downloading said content information from said peripheral device.

6. The system of claim 1 wherein said image hub includes a central processing unit, a memory device, a display, a recharger module, a user interface, and one or more input/output interfaces.

7. The system of claim 6 wherein said memory device includes application software, an operating system, content information, a recharge manager, a network browser, and a display manager.

8. The system of claim 7 wherein said application software includes a download manager, an upload manager, an editing module, a data manager, miscellaneous routines, and an image selection manager.

9. The system of claim 6 wherein said one or more input/output interfaces include a network interface, a host computer interface, one or more camera connector interfaces, one or more recharge connector interfaces, a photographic printer interface, a wireless communications interface, a removable storage media interface, and one or more status indicator interfaces.

10. The system of claim 1 wherein said content information includes image data that corresponds to an image that was captured by said peripheral device, and a corresponding descriptor that identifies said image data as being captured by said peripheral device.

11. The system of claim 1 wherein said peripheral device includes a data capture subsystem, a viewfinder, and a control module, said control module including at least one of a central processing unit, one or more rechargeable and non-removable batteries, a temporary buffer memory of limited size, and an input/output data transfer connector.

12. The system of claim 1 wherein said system user connects said peripheral device to said image hub, and wherein a download manager in said image hub responsively detects a content-information download event.

13. The system of claim 12 wherein said download manager accesses and transfers said content information from said peripheral device to said image hub in response to detecting said content-information download event.

14. The system of claim 12 wherein a recharge manager and a recharger module from said image hub recharge one or more batteries in said peripheral device in response to said system user connecting said peripheral device to said image hub.

15. The system of claim 13 wherein an application software program in said image hub determines one or more appropriate image management functions for handling said content information.

16. The system of claim 15 wherein said one or more appropriate image management functions include a data routing function performed by an upload manager in said image hub for transferring said content information from said image hub to said data destination, said upload manager performing said data routing function using at least one of a wireless communications data transfer and a hard-wired network data transfer.

17. The system of claim 16 wherein said data routing function is selected from recognizing and routing said content information based upon a camera identification parameter that is programmed into said peripheral device and detected by said upload manager, marking said content information with an image identifier tag that is recognized and utilized by either said image hub or said data destination to subsequently provide said content information to said system user, routing said content information to said data destination based upon a hub identifier value corresponding to said image hub, and routing said content information to said data destination based upon destination information entered into said image hub by said system user or by a system operator.

18. The system of claim 15 wherein said one or more appropriate image management functions include a data editing function in which an editing module in said image hub modifies said content information, and an image selection function in which an image selection manager in said image hub permits said system user to select and order one or more images from said content information by using said image hub.

19. The system of claim 15 wherein said image hub determines whether valid conditions currently exist for performing said one or more appropriate image management functions, said image hub presenting an error message to said system user if valid conditions do not currently exist, said image hub executing said one or more image management functions if valid conditions currently do exist.

20. The system of claim 16 wherein said system user accesses said content information from said data destination, and responsively performs a data utilization procedure with said content information, said data utilization procedure including at least one of a data viewing procedure, a data editing procedure, a data ordering procedure, a data manipulation procedure, a data printing procedure, a data forwarding procedure, and a data downloading procedure.

21. A method for managing content information, comprising the steps of:

capturing said content information with a peripheral device;

utilizing an image hub to transfer said content information from said peripheral device to a data destination, said peripheral device having a transfer capability to transfer said content information only to said image hub; and

accessing said content information from said data destination by a system user.

22. The method of claim 21 wherein said peripheral device includes one of a digital camera, an imaging device, a computer device, an audio device, and a portable electronic device.

23. The method of claim 21 wherein said content information includes image data, audio data, text data, and graphics data.

24. The method of claim 21 wherein said data destination includes a user-accessible service coupled to one of a distributed computer network, an Internet network, and a wireless communications network.

25. The method of claim 21 wherein said peripheral device is implemented as a low-cost digital camera with minimal local memory and limited processing capabilities, said image hub providing a sole power source for recharging a power supply in said peripheral device, said image hub also providing a sole transfer means for downloading said content information from said peripheral device.

26. The method of claim 21 wherein said image hub includes a central processing unit, a memory device, a display, a recharger module, a user interface, and one or more input/output interfaces.

27. The method of claim 26 wherein said memory device includes application software, an operating system, content information, a recharge manager, a network browser, and a display manager.

28. The method of claim 27 wherein said application software includes a download manager, an upload manager, an editing module, a data manager, miscellaneous routines, and an image selection manager.

29. The method of claim 26 wherein said one or more input/output interfaces include a network interface, a host computer interface, one or more camera connector interfaces, one or more recharge connector interfaces, a photographic printer interface, a wireless communications interface, a removable storage media interface, and one or more status indicator interfaces.

30. The method of claim 21 wherein said content information includes image data that corresponds to an image that was captured by said peripheral device, and a corresponding descriptor that identifies said image data as being captured by said peripheral device.

31. The method of claim 21 wherein said peripheral device includes a data capture subsystem, a viewfinder, and a control module, said control module including at least one of a central processing unit, one or more rechargeable and non-removable batteries, a temporary buffer memory of limited size, and an input/output data transfer connector.

32. The method of claim 21 wherein said system user connects said peripheral device to said image hub, and wherein a download manager in said image hub responsively detects a content-information download event.

33. The method of claim 32 wherein said download manager accesses and transfers said content information from said peripheral device to said image hub in response to detecting said content-information download event.

34. The method of claim 32 wherein a recharge manager and a recharger module from said image hub recharge one or more batteries in said peripheral device in response to said system user connecting said peripheral device to said image hub.

35. The method of claim 33 wherein an application software program in said image hub determines one or more appropriate image management functions for handling said content information.

36. The method of claim 35 wherein said one or more appropriate image management functions include a data routing function performed by an upload manager in said image hub for transferring said content information from said image hub to said data destination, said upload manager performing said data routing function using at least one of a wireless communications data transfer and a hard-wired network data transfer.

37. The method of claim 36 wherein said data routing function is selected from recognizing and routing said content information based upon a camera identification parameter that is programmed into said peripheral device and detected by said upload manager, marking said content information with an image identifier tag that is recognized and utilized by either said image hub or said data destination to subsequently provide said content information to said system user, routing said content information to said data destination based upon a hub identifier value corresponding to said image hub, and routing said content information to said data destination based upon destination information entered into said image hub by said system user or by a system operator.

38. The method of claim 35 wherein said one or more appropriate image management functions include data editing function in which an editing module in said image hub modifies said content information, and an image selection function in which an image selection manager in said image hub permits said system user to select and order one or more images from said content information by using said image hub.

39. The method of claim 35 wherein said image hub determines whether valid conditions currently exist for performing said one or more appropriate image management functions, said image hub presenting an error message to said system user if valid conditions do not currently exist, said image hub executing said one or more image management functions if valid conditions currently do exist.

40. The method of claim 36 wherein said system user accesses said content information from said data destination, and responsively performs a data utilization procedure with said content information, said data utilization procedure including at least one of a data viewing procedure, a data editing procedure, a data ordering procedure, a data manipulation procedure, a data printing procedure, a data forwarding procedure, and a data downloading procedure.

41. A computer-readable medium comprising program instructions for managing content information by performing the steps of:

capturing said content information with a peripheral device;

utilizing an image hub to transfer said content information from said peripheral device to a data destination; and

accessing said content information from said data destination by a system user.

42. A system for managing content information, comprising:

means for capturing said content information;

means for transferring said content information from said means for capturing to a data destination; and

means for accessing said content information from said data destination by a system user.